UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, Plaintiff, v. DAVID SAPPER, Defendant.	)))))))))	2:12-CR-435-JAD-(CWH)

AMENDED PRELIMINARY ORDER OF FORFEITURE

This Court finds that on January 22, 2014, defendant DAVID SAPPER pled guilty to Counts One and Two of a Two-Count Criminal Indictment charging him in Count One with Coercion and Enticement in violation of Title 18, United States Code, Section 2422(b) and in Count Two with Possession of a Firearm by a Convicted Felon in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant DAVID SAPPER agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment and the offenses to which defendant DAVID SAPPER pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2428(a)(1); Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

1. Black Asus laptop (serial number BCN0AS00004148B);
2. Purple Sony Vaio laptop computer (serial number 54D638850004711);
3. XCLIO computer tower (serial number unknown);
4. 9mm Glock handgun (serial number LCH365);
5. Remington .308, model 722 rifle (serial number 362351);
6. Remington model 870 shotgun (serial number AB403752M);
7. AR-15 rifle, with optics, (serial number unknown);
8. SKS 762 rifle (serial number 5416);
9. Purple and black Taurus .380 handgun (serial number 43071B);
10. Bwest 9mm handgun (serial number P07512);
11. Smith & Wesson .40 caliber handgun (serial number PAA9581);
12. Hawes .357 revolver handgun (serial number 1947413); and
13. any and all ammunition

(all of which constitutes “property”).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of DAVID SAPPER in the aforementioned property is forfeited and is vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who claims an interest in the aforementioned property must file a petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code, Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature and extent of the petitioner's right, title, or interest in the forfeited property and any additional facts supporting the petitioner's petition and the relief sought.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than sixty (60) days after the first day of the publication on the official internet government forfeiture site, www.forfeiture.gov.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Michael A. Humphreys
Assistant United States Attorney
Daniel D. Hollingsworth
Assistant United States Attorney
Lloyd D. George United States Courthouse
333 Las Vegas Boulevard South, Suite 5000
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

DATED this 10th day of February, 2014.

UNITED STATES DISTRICT JUDGE